

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOWELL RETAIL DEVELOPMENT LLC, Plaintiff, v. EXXON MOBIL OIL CORPORATION, Defendant.	Civil Action No. 1:04-cv-11028
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**DEFENDANT'S ASSENTED TO MOTION TO EXTEND TIME TO ANSWER
THE COMPLAINT AND THE SCHEDULING CONFERENCE**

Defendant, Exxon Mobil Oil Corporation ("ExxonMobil"), hereby moves this Court to extend, until December 10, 2004, the time for ExxonMobil to answer or otherwise respond to the Complaint of the plaintiff, Lowell Retail Development, LLC. In addition, ExxonMobil moves the Court to extend the date of the Scheduling Conference (currently set for November 22, 2004) until December 10, 2004. As grounds for this Motion, ExxonMobil states that the parties have reached a settlement in this litigation and are currently in the process of executing the settlement agreement and releases and conveying the settlement sum. The extension is necessary to ensure sufficient time for full execution of the settlement documents and conveyance of the settlement payment.

WHEREFORE, ExxonMobil respectfully request that the Court allow this

assented to motion.

EXXON MOBIL OIL CORPORATION

By its attorneys,

/s/ Tara J. Myslinski
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Assented To:

LOWELL RETAIL DEVELOPMENT,
LLC

By its attorneys,

/s/ David Y. Li (Assented To)

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Dated: November 12, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by first class mail to David Y. Li, Esq., Posternak Blankstein & Lund LLP, Prudential Tower, 800 Boylston Street, Boston, MA 02199, this 12th day of November, 2004.

/s/ Tara J. Myslinski
Tara J. Myslinski